

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
LAREDO DIVISION

ALEJANDRO FLORES AND MARIA
A. RAMIREZ,
Plaintiffs

v.

STATE FARM LLOYDS
Defendant

§
§
§
§
§
§
§
§

Civil Action No. 5:15-cv-245

**JOINT REPORT REQUIRED BY FED. R. CIV. P. 26(f)
AND JOINT DISCOVERY/CASE MANAGEMENT PLAN**

Preliminary Matters

1. List cases pending in this, or any other district, with their cause number and judicial district, which are related to this case.

None.

2. Can and should this case be consolidated with those cases, if any?

No.

3. What is the Plaintiff's allegation of federal jurisdiction?

No opposition.

4. Does/do the Defendant(s) agree or disagree with this allegation?

Not applicable.

5. Does either party anticipate the need to add additional parties?

No.

6. If so, list any additional parties and when they can be added.

Not applicable.

7. List any anticipated interventions.

None.

8. Is/are there any issues in this case which may raise class allegations or class action issues?

No.

Discovery

9. The conference required by FED. R. CIV. P. 26(f) was held on **November 23, 2015** via electronic mail.

10. Describe the proposed discovery plan agreed upon at the conference. Include the following:

- a) Do you suggest any changes to be made in the timing of the disclosures required by Fed.R.Civ.P.26(a)(1)? If so, what are they.

None.

- b) If they have not already been made, when will the required disclosures be made?

Plaintiffs' filed their Initial Disclosures on September 23, 2015.

Defendant's filed their Initial Disclosures on November 18, 2015.

- c) Is there a need for an initial discovery phase in this litigation, and if so, on what issues is this discovery needed and when will it be completed.

No.

- d) When will interrogatories and requests for production be sent?

Parties anticipate serving their interrogatories and requests for production within 30 days.

- e) List the names of all persons for whom depositions will be needed and when these depositions will be taken.

Plaintiff anticipates taking the depositions of State Farm employees (including corporate representatives of State Farm) and any witnesses designated or identified by other parties to this lawsuit, including any expert witnesses, persons with relevant knowledge, various representatives of Defendant, and Defendant's anticipated experts, before the discovery deadlines.

Defendant anticipates taking the depositions of Plaintiff and any witnesses designated or identified by a party to this lawsuit, including any expert witnesses, persons with relevant knowledge, various representatives of Plaintiff; Plaintiff's contractors or repair persons; and Plaintiff's anticipated experts, before the discovery deadlines.

f) When will discovery be completed?

The parties will complete discovery by May 23, 2016.

11. If the parties do not agree on any portion of the discovery plan, describe the separate views and proposals of each party.

Not applicable as the parties agree; however, there may be some modifications needed as discovery progresses.

Settlement and Trial Alternatives

12. Describe the possibilities of settlement or alternative dispute resolution which were discussed at the Rule 26(f) meeting.

The Parties agreed to conduct voluntary settlement negotiations, including mediation, after the completion of discovery.

13. State what has been done to bring about a prompt settlement.

At this time, there have been no settlement discussions.

14. Is this case suitable for Alternative Dispute Resolution (ADR)? If so, what has been done to promote ADR?

The Parties agreed to conduct voluntary settlement negotiations, including mediation, after the completion of discovery.

15. Will the parties consent to trial before a Magistrate Judge?

The Parties do not agree to trial by magistrate judge.

16. Has a jury demand been made? Is it timely?

Yes, a jury demand was made on September 10, 2015.

17. In the event of a trial, how long will it take to try this case?

The Parties anticipate trial being 4-5 days.

Additional Conference Items

18. If there are any motions pending before the Court at this time, list them.

None.

19. Can any of these motions be ruled upon at the initial pretrial and scheduling conference?

Not applicable.

20. Are there any other matters peculiar to this case, including discovery, which deserve the special attention of the Court at the conference?

No.

21. List the names, bar numbers, addresses, and telephone numbers of all counsel.

Clayton Hardin State Bar No. 24090144 Bill L. Voss State Bar No. 24047043 Scott G. Hunziker State Bar No. 24032446 THE VOSS LAW FIRM, P.C. The Voss Law Center 26619 Interstate 45 South The Woodlands, Texas 77380 Telephone: 713.861.0015 Facsimile: 713.861.0021 clayton@vosslawfirm.com bill.voss@vosslawfirm.com scott@vosslawfirm.com <i>Counsel for Plaintiffs</i>	Mark A. Lindow Attorney in Charge State Bar No. 12367875 Southern District No. 12777 Jana Richard State Bar No. 24040752 Southern District Bar No. 1128806 LINDOW STEPHENS TREAT LLP One Riverwalk Place 700 N. St. Mary's Street, Suite 1700 San Antonio, Texas 78205 Telephone: 210.227.2200 Telecopier: 210.227.4602 mlindow@lstlaw.com jrichard@lstlaw.com <i>Counsel for Defendant</i>
---	---